

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF MISSOURI**

PATRICK ROMANO, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 23-04043-CV-BCW
)	
TORCH ELECTRONICS, LLC, et al.,)	
)	
Defendants.)	

**UNOPPOSED JOINT MOTION FOR EXTENSION OF TIME TO FILE
SUGGESTIONS IN OPPOSITION TO MOTION FOR CLASS CERTIFICATION**

Defendants Torch Electronics, LLC, Steven Miltenberger, Warrenton Oil Company, Mohammed Almuttan, Mally, Inc., and Rami Almuttan (collectively “Defendants”) jointly move, pursuant to Federal Rule of Civil Procedure 6(b)(1), for an extension of time to file Suggestions in Opposition to Plaintiffs’ Motion to Certify the Class (Doc. #30) and accompanying Suggestions in Support (Doc. #36). Plaintiffs Patrick Romano, Joshua Wilson, Krystal Christensen, Jeffrey Cordaro, Carmen Weaver, Monica McGee, and Mary Bolden (collectively “Plaintiffs”) consent to the requested extension of time.

In support of this motion, the Parties state as follows:

1. Plaintiffs initially filed the Motion for Class Certification on May 5, 2023. (Doc. #30). After the Court denied Plaintiffs’ motion for leave to file excess pages in support of their motion (Doc. #34), Plaintiffs filed their suggestions in support of the motion May 15, 2023. (Doc. #36). Under Local Rule 7.0(c)(2), based on the date of Plaintiffs’ refiling, Defendants’ Suggestions in Opposition are currently due the day after Memorial Day, May 30, 2023.
2. As described in the Parties’ recently submitted joint proposed scheduling order, counsel for Plaintiffs and Defendants agree that limited class certification-related discovery is appropriate and would be helpful prior to completion of the class certification briefing process.

3. As outlined in the Parties' proposed scheduling order and relevant to the timing of Defendants' opposition briefs, the parties have agreed to certification-related depositions of the named Plaintiffs. To achieve this, the Parties agree it is necessary to grant Defendants an extension of time to file their opposition to Plaintiffs' Motion such that Defendants' new deadline to file suggestions in opposition is June 30, 2023.

4. The purpose of this motion is not to cause undue delay; it is made to allow Defendants sufficient time to analyze the issues raised in the certification motion and conduct certification-related discovery in aid of their responses.

5. An extension to allow for certification-related discovery will assist the Court in conducting the "rigorous analysis" required for certification motions. *See Goyette v. City of Minneapolis*, 20-CV-1302 (WMW/DTS), 2020 WL 3056705, at *5 (D. Minn. June 9, 2020) ("Without discovery in this case, the Court cannot undertake the rigorous analysis required of the class allegations.") (quoting *Keech v. Sanimax USA, LLC*, Civ. No. 18-683, 2019 WL 79005, at *5 (D. Minn. Jan. 2, 2019)); *accord Courtright v. O'Reilly Auto., Stores, Inc.*, 14-00334-CV-W-GAF, 2014 WL 12623695, at *3 (W.D. Mo. July 7, 2014) (pre-certification discovery appropriate).

6. This is the first request for an extension of time to file suggestions in opposition to the class certification motion.

7. Accordingly, Defendants respectfully request the Court grant them until and including June 30, 2023, to file their opposition briefs to Plaintiffs' Motion for Class Certification.

WHEREFORE, Defendants respectfully request that the Court grant this Unopposed Joint Motion for an Extension of Time to File Suggestions in Opposition to Motion for Class Certification, and enter an Order allowing Defendants until June 30, 2023, to file their opposition

briefs, and for such other and further relief as this Court deems necessary and proper under the circumstances.

Dated: May 24, 2023

Respectfully submitted,

GRAVES GARRETT LLC

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CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ J. Aaron Craig

Attorneys for Defendants Torch
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